

Union Calendar No. 160

112TH CONGRESS
1ST SESSION**H. R. 2433****[Report No. 112-242, Part I]**

To amend title 38, United States Code, to make certain improvements in the laws relating to the employment and training of veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 7, 2011

Mr. MILLER of Florida introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

OCTOBER 11, 2011

Additional sponsors: Mr. FLORES, Mr. BILIRAKIS, Mr. STUTZMAN, Mr. HANNA, Mr. MICA, Mr. GRIMM, Mr. RUNYAN, Mr. ROE of Tennessee, Mr. WEST, Mr. DENHAM, Mr. BENISHEK, Mrs. ROBY, Mr. YOUNG of Indiana, Mr. GRIFFIN of Arkansas, Mr. CALVERT, Mr. ROHRABACHER, Mr. FITZPATRICK, Mr. SMITH of Texas, Mrs. BLACK, Mr. GUINTA, Mrs. NOEM, Mr. JOHNSON of Ohio, Mr. STEARNS, Mr. TURNER of Ohio, Mr. BONNER, Mr. LOBIONDO, Mr. LAMBORN, Ms. BUERKLE, Mr. RIGELL, Mr. WALBERG, and Mr. NUGENT

OCTOBER 11, 2011

Reported from the Committee on Veterans' Affairs with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

OCTOBER 11, 2011

The Committee on Armed Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on July 7, 2011]

A BILL

To amend title 38, United States Code, to make certain improvements in the laws relating to the employment and training of veterans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the “Vet-*
 5 *erans Opportunity to Work Act of 2011”.*

6 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 7 *this Act is as follows:*

Sec. 1. Short title; table of contents.

TITLE I—RETRAINING VETERANS

Sec. 101. Veterans retraining assistance program.

TITLE II—IMPROVING THE TRANSITION ASSISTANCE PROGRAM

Sec. 201. Transition Assistance Program contracting.

Sec. 202. Mandatory participation in Transition Assistance Program.

Sec. 203. Report on Transition Assistance Program.

Sec. 204. Transition Assistance Program outcomes.

Sec. 205. Comptroller General review.

**TITLE III—IMPROVING THE TRANSITION OF VETERANS TO
CIVILIAN EMPLOYMENT**

*Sec. 301. Reauthorization and improvement of demonstration project on
credentialing and licensure of veterans.*

*Sec. 302. Inclusion of performance measures in annual report on veteran job
counseling, training, and placement programs of the Department
of Labor.*

*Sec. 303. Clarification of priority of service for veterans in Department of Labor
job training programs.*

*Sec. 304. Evaluation of individuals receiving training at the National Veterans’
Employment and Training Services Institute.*

*Sec. 305. Requirements for full-time disabled veterans’ outreach program special-
ists and local veterans’ employment representatives.*

*Sec. 306. Report on findings of the Department of Defense and Department of
Labor credentialing work group.*

**TITLE IV—IMPROVEMENTS TO UNIFORMED SERVICES
EMPLOYMENT AND REEMPLOYMENT RIGHTS**

Sec. 401. Clarification of benefits of employment covered under USERRA.

TITLE V—OTHER MATTERS

Sec. 501. Extension of certain expiring provisions of law.

*Sec. 502. Department of Veterans Affairs housing loan guarantees for surviving
spouses of certain totally disabled veterans.*

Sec. 503. Extension of homeless veterans reintegration programs.

Sec. 504. Reimbursement rate for ambulance services.

Sec. 505. Annual reports on Post-9/11 Educational Assistance Program and Survivors' and Dependents' Educational Assistance Program.

Sec. 506. Limitation on amount authorized to be appropriated for employee travel, printing, and fleet vehicles.

Sec. 507. Extension of reduced pension for certain veterans covered by Medicaid plans for services furnished by nursing facilities.

Sec. 508. Statutory Pay-As-You-Go-Act of 2010.

1 ***TITLE I—RETRAINING VETERANS***

2 ***SEC. 101. VETERANS RETRAINING ASSISTANCE PROGRAM.***

3 *(a) PROGRAM AUTHORIZED.—*

4 *(1) IN GENERAL.—In accordance with this sec-*
 5 *tion, during the period beginning on June 1, 2012,*
 6 *and ending on March 31, 2014, the Secretary of*
 7 *Labor shall provide for monthly payments of retrain-*
 8 *ing assistance to eligible veterans. Payments of re-*
 9 *training assistance under this section shall be made*
 10 *by the Secretary of Labor through the Secretary of*
 11 *Veterans Affairs.*

12 *(2) NUMBER OF ELIGIBLE VETERANS.—The*
 13 *number of eligible veterans who participate in the*
 14 *program may not exceed—*

15 *(A) 45,000 during fiscal year 2012; and*

16 *(B) 55,000 during the period beginning Oc-*
 17 *tober 1, 2012, and ending March 31, 2014.*

18 *(b) RETRAINING ASSISTANCE.—Except as provided by*
 19 *subsection (i), each veteran who participates in the program*
 20 *established under subsection (a)(1) shall be entitled to up*
 21 *to 12 months of retraining assistance, as determined by the*

1 *Secretary of Labor. Such retraining assistance may only*
2 *be used by the veteran to pursue a program of education*
3 *(as such term is defined in section 3452(b) of title 38,*
4 *United States Code) or training on a full-time basis that—*

5 *(1) is approved under chapter 36 of such title;*

6 *(2) is offered by a community college or technical*
7 *school;*

8 *(3) leads to an associates degree or a certificate*
9 *(or other similar evidence of the completion of the*
10 *program of education or training); and*

11 *(4) is designed to provide training for a high-de-*
12 *mand occupation, as determined by the Secretary of*
13 *Labor.*

14 *(c) MONTHLY CERTIFICATION.—Each veteran who*
15 *participates in the program established under subsection*
16 *(a)(1) shall certify to the Secretary of Veterans Affairs the*
17 *enrollment of the veteran in a program of education de-*
18 *scribed in subsection (b) for each month in which the vet-*
19 *eran participates in the program.*

20 *(d) AMOUNT OF ASSISTANCE.—The monthly amount*
21 *of the retraining assistance payable under this section is*
22 *the amount in effect under section 3015(a)(1) of title 38,*
23 *United States Code.*

24 *(e) ELIGIBILITY.—For purposes of this section, an eli-*
25 *gible veteran is a veteran who—*

1 (1) *is at least 35 years of age but not more than*
2 *60 years of age;*

3 (2) *was last discharged from active duty service*
4 *in the Armed Forces with an honorable discharge;*

5 (3) *as of the date of the submittal of the applica-*
6 *tion for assistance under this section, has been unem-*
7 *ployed for a period of time determined by the Sec-*
8 *retary, with special consideration given to veterans*
9 *who have been unemployed for at least 26 continuous*
10 *weeks;*

11 (4) *is not eligible to apply for educational assist-*
12 *ance under chapter 30, 31, 33, or 35 of title 38,*
13 *United States Code; and*

14 (5) *by not later than October 1, 2013, submits to*
15 *the Secretary of Labor an application containing*
16 *such information and assurances as the Secretary*
17 *may require.*

18 (f) *REPORT.—Not later than July 1, 2014, the Sec-*
19 *retary of Labor and the Secretary of Veterans Affairs shall*
20 *jointly submit to the Committees on Veterans' Affairs of the*
21 *Senate and the House of Representatives a report on the*
22 *retraining assistance provided under this section, includ-*
23 *ing—*

24 (1) *the total number of—*

25 (A) *eligible veterans who participated;*

1 (B) credit hours completed; and

2 (C) associates degrees or certificates award-
3 ed (or other similar evidence of the completion of
4 the program of education or training earned);
5 and

6 (2) data related to the employment status of eli-
7 gible veterans who participated.

8 (g) *JOINT AGREEMENT.*—The Secretary of Labor and
9 the Secretary of Veterans Affairs shall enter into an agree-
10 ment on carrying out this section.

11 (h) *SOURCE OF FUNDS.*—Payments under this section
12 shall be made from amounts appropriated to the readjust-
13 ment benefits account of the Department of Veterans Af-
14 fairs.

15 (i) *TERMINATION OF AUTHORITY.*—The authority to
16 make payments under this section shall terminate on March
17 31, 2014.

18 **TITLE II—IMPROVING THE TRAN-**
19 **SITION ASSISTANCE PRO-**
20 **GRAM**

21 **SEC. 201. TRANSITION ASSISTANCE PROGRAM CON-**
22 **TRACTING.**

23 (a) *TRANSITION ASSISTANCE PROGRAM CON-*
24 *TRACTING.*—

1 (1) *IN GENERAL.*—Section 4113 of title 38,
2 *United States Code, is amended to read as follows:*

3 **“§ 4113. Transition Assistance Program personnel**

4 “(a) *AUTHORITY TO CONTRACT.*—In accordance with
5 *section 1144 of title 10, the Secretary shall enter into a*
6 *contract with an appropriate private entity or entities to*
7 *provide the functions described in subsection (b) at all loca-*
8 *tions where the program described in such section is carried*
9 *out.*

10 “(b) *FUNCTIONS.*—Contractors under subsection (a)
11 *shall provide to members of the Armed Forces who are being*
12 *separated from active duty (and the spouses of such mem-*
13 *bers) the services described in section 1144(a)(1) of title 10,*
14 *including—*

15 “(1) *counseling;*

16 “(2) *assistance in identifying employment and*
17 *training opportunities and help in obtaining such*
18 *employment and training;*

19 “(3) *other related information and services under*
20 *such section; and*

21 “(4) *any other services that the Secretary deter-*
22 *mines are appropriate.”.*

23 (2) *CLERICAL AMENDMENT.*—The table of sec-
24 *tions at the beginning of chapter 41 of title 38,*
25 *United States Code, is amended by striking the item*

1 relating to section 4113 and inserting the following
2 new item:

 “4113. Transition Assistance Program personnel.”.

3 (b) *DEADLINE FOR IMPLEMENTATION.*—The Secretary
4 of Labor shall enter into the contract required by section
5 4113 of title 38, United States Code, as added by subsection
6 (a), by not later than 24 months after the date of the enact-
7 ment of this Act.

8 **SEC. 202. MANDATORY PARTICIPATION IN TRANSITION AS-**
9 **SISTANCE PROGRAM.**

10 Section 1144(c) of title 10, United States Code, is
11 amended by striking “shall encourage” and all that follows
12 and inserting “shall encourage the participation of mem-
13 bers of the armed forces in pay grades E-8 and above and
14 O-6 and above who are eligible for assistance under the pro-
15 gram and shall require the participation of all other mem-
16 bers of the armed forces who are eligible for assistance under
17 the program unless a documented urgent operational re-
18 quirement prevents attendance or an individual service
19 member, with written approval of their commander, chooses
20 to decline participation, in writing, based on post-service
21 employment or acceptance to an education program. Such
22 documentation shall be included in the personnel record of
23 the member.”.

1 **SEC. 203. REPORT ON TRANSITION ASSISTANCE PROGRAM.**

2 Section 1144 of title 10, United States Code, is amend-
3 ed by adding at the end the following new subsection:

4 “(e) *REPORTS AND AUDITS.*—(1) *Not later than Janu-*
5 *ary 30 of each year, the Secretary of Labor shall submit*
6 *to the Committees on Veterans’ Affairs of the Senate and*
7 *House of Representatives a report on the program estab-*
8 *lished under this section that includes the number of mem-*
9 *bers of the armed forces eligible for assistance under the pro-*
10 *gram who participated in the program within 30, 90, and*
11 *180 days of being separated from active duty, and the per-*
12 *centages of all such eligible participants who participated*
13 *within each such time period.*

14 “(2)(A) *The Secretary of Labor shall enter into a con-*
15 *tract with an appropriate entity to conduct an audit of*
16 *the program established under this section not less fre-*
17 *quently than once every three years and to submit to the*
18 *Secretary of Defense, the Secretary of Labor, the Secretary*
19 *of Veterans Affairs, and the Committees on Veterans’ Affairs*
20 *of the Senate and House of Representatives a report con-*
21 *taining the results of each such audit.*

22 “(B)(i) *Except as provided in clause (ii), the Secretary*
23 *of Labor shall enter into the contract under subparagraph*
24 *(A) with an appropriate entity that is a small business con-*
25 *cern owned and controlled by veterans or a small business*
26 *concern owned and controlled by service-disabled veterans*

1 *and that is included in the database of veteran-owned busi-*
 2 *nesses maintained under subsection (f) of section 8127 of*
 3 *title 38 and verified by the Secretary pursuant to para-*
 4 *graph (4) of that subsection.*

5 “(ii) *If the Secretary of Labor is unable to enter into*
 6 *the contract under subparagraph (A) with a qualified busi-*
 7 *ness concern described in clause (i), the Secretary shall*
 8 *enter into such contract with another qualified appropriate*
 9 *entity.*

10 “(C) *The Secretary of Labor shall enter into the con-*
 11 *tract under this paragraph using funds made available for*
 12 *the State grant program authorized under section 4102A*
 13 *of title 38.”.*

14 **SEC. 204. TRANSITION ASSISTANCE PROGRAM OUTCOMES.**

15 *Section 1144 of title 10, United States Code, as amend-*
 16 *ed by section 202 and 203, is further amended by adding*
 17 *at the end the following new subsection:*

18 “(f) *PROGRAM OUTCOMES.—The Secretary of Labor*
 19 *and the Secretary of Defense shall jointly develop a method*
 20 *to assess the outcomes for individuals who participate in*
 21 *the program established under this section. Such method*
 22 *shall be designed to determine the following outcomes:*

23 “(1) *The length of the period during which the*
 24 *individual was unemployed following the individual’s*
 25 *separation from active duty.*

1 “(2) *The beginning salary paid to the individual*
 2 *for the first job the individual obtained following such*
 3 *separation.*

4 “(3) *The number of months of school or other*
 5 *training the individual attended during the first 12-*
 6 *month period following such separation.”.*

7 **SEC. 205. COMPTROLLER GENERAL REVIEW.**

8 *Not later than one year after the date of the enactment*
 9 *of this Act, the Comptroller General of the United States*
 10 *shall conduct a review of the Transition Assistance Pro-*
 11 *gram under section 1144 of title 10, United States Code,*
 12 *and submit to Congress a report on the results of the review*
 13 *and any recommendations of the Comptroller General for*
 14 *improving the program.*

15 **TITLE III—IMPROVING THE**
 16 **TRANSITION OF VETERANS**
 17 **TO CIVILIAN EMPLOYMENT**

18 **SEC. 301. REAUTHORIZATION AND IMPROVEMENT OF DEM-**
 19 **ONSTRATION PROJECT ON CREDENTIALING**
 20 **AND LICENSURE OF VETERANS.**

21 *Section 4114 of title 38, United States Code, is amend-*
 22 *ed—*

23 *(1) in subsection (b)—*

1 (A) in paragraph (1), by striking “not less
2 than 10” and inserting “not less than 5 but not
3 more than 10”; and

4 (B) in paragraph (2), by striking “consult
5 with appropriate Federal, State, and industry
6 officials” and inserting “enter into a contract
7 with an appropriate entity representing a coal-
8 ition of State governors”;

9 (2) in subsection (g)—

10 (A) by striking “Veterans Benefits, Health
11 Care, and Information Technology Act of 2006”
12 and inserting the “Veterans Opportunity to
13 Work Act of 2011”; and

14 (B) by striking “September 30, 2009” and
15 inserting “September 30, 2014”;

16 (3) in subsection (h)—

17 (A) by striking “utilizing unobligated
18 funds” and inserting “using not more than
19 \$180,000 of the funds in each fiscal year”; and

20 (B) by inserting before the period at the end
21 the following: “, to be derived from amounts oth-
22 erwise made available to carry out sections
23 4103A and 4104 of this title”; and

24 (4) by adding at the end the following new sub-
25 section:

1 “(i) *REPORT TO CONGRESS.*—Not later than 30 days
 2 *after the last day of a fiscal year during which the dem-*
 3 *onstration project under this section is carried out, the As-*
 4 *stant Secretary, in coordination with the entity with*
 5 *which the Assistant Secretary enters into a contract under*
 6 *subsection (b)(2), shall submit to the Committees on Vet-*
 7 *erans’ Affairs of the Senate and House of Representatives*
 8 *a report on the implementation of the demonstration project*
 9 *during that fiscal year.”.*

10 **SEC. 302. INCLUSION OF PERFORMANCE MEASURES IN AN-**
 11 **NUAL REPORT ON VETERAN JOB COUN-**
 12 **SELING, TRAINING, AND PLACEMENT PRO-**
 13 **GRAMS OF THE DEPARTMENT OF LABOR.**

14 Section 4107(c) of title 38, United States Code, is
 15 amended—

16 (1) in paragraph (2), by striking “clause (1)”
 17 and inserting “paragraph (1)”;

18 (2) in paragraph (5), by striking “and” at the
 19 end;

20 (3) in paragraph (6), by striking the period and
 21 inserting “; and”; and

22 (4) by adding at the end the following new para-
 23 graph:

24 “(7) performance measures for the provision of
 25 assistance under this chapter, including—

1 “(A) the percentage of participants in pro-
 2 grams under this chapter who are employed after
 3 the 180-day period following their completion of
 4 the program;

5 “(B) the percentage of such participants
 6 who are employed after the one-year period fol-
 7 lowing their completion of the program;

8 “(C) the median earnings of such partici-
 9 pants after the 180-day period following their
 10 completion of the program;

11 “(D) the median earnings of such partici-
 12 pants after the one-year period following their
 13 completion of the program; and

14 “(E) the percentage of participants in such
 15 program who complete a certificate, degree, di-
 16 ploma, licensure, or industry-recognized creden-
 17 tial while they are participating in the program
 18 or within one year of completing the program.”.

19 **SEC. 303. CLARIFICATION OF PRIORITY OF SERVICE FOR**
 20 **VETERANS IN DEPARTMENT OF LABOR JOB**
 21 **TRAINING PROGRAMS.**

22 Section 4215 of title 38, United States Code, is amend-
 23 ed—

24 (1) in subsection (a)(3), by adding at the end the
 25 following: “Such priority includes giving access to

1 *such services to a covered person before a non-covered*
2 *person or, if resources are limited, giving access to*
3 *such services to a covered person instead of a non-cov-*
4 *ered person.”; and*

5 *(2) by amending subsection (d) to read as fol-*
6 *lows:*

7 *“(d) ADDITION TO ANNUAL REPORT.—(1) In the an-*
8 *nual report required under section 4107(c) of this title for*
9 *the program year beginning in 2003 and each subsequent*
10 *program year, the Secretary of Labor shall evaluate whether*
11 *covered persons are receiving priority of service and are*
12 *being fully served by qualified job training programs. Such*
13 *evaluation shall include—*

14 *“(A) an analysis of the implementation of pro-*
15 *viding such priority at the local level;*

16 *“(B) whether the representation of veterans in*
17 *such programs is in proportion to the incidence of*
18 *representation of veterans in the labor market, includ-*
19 *ing within groups that the Secretary may designate*
20 *for priority under such programs, if any; and*

21 *“(C) performance measures, as determined by the*
22 *Secretary, to determine whether veterans are receiving*
23 *priority of service and are being fully served by quali-*
24 *fied job training programs.*

1 “(2) *The Secretary may not use the proportion of rep-*
 2 *resentation of veterans described in subparagraph (B) of*
 3 *paragraph (1) as the basis for determining under such*
 4 *paragraph whether veterans are receiving priority of service*
 5 *and are being fully served by qualified job training pro-*
 6 *grams.”.*

7 **SEC. 304. EVALUATION OF INDIVIDUALS RECEIVING TRAIN-**
 8 **ING AT THE NATIONAL VETERANS’ EMPLOY-**
 9 **MENT AND TRAINING SERVICES INSTITUTE.**

10 (a) *IN GENERAL.*—Section 4109 of title 38, United
 11 *States Code, is amended by adding at the end the following*
 12 *new subsection:*

13 “(d) *The Secretary shall require that each individual*
 14 *who receives training provided by the Institute, or its suc-*
 15 *cessor, is given a final examination to evaluate the individ-*
 16 *ual’s performance in receiving such training. Each such*
 17 *evaluation shall be designed to provide the individual with*
 18 *a grade, which shall be designated as either a passing grade*
 19 *or a failing grade. The results of such final examination*
 20 *shall be provided to the entity that sponsored the individual*
 21 *who received the training.”.*

22 (b) *EFFECTIVE DATE.*—Subsection (d) of section 4109
 23 *of title 38, United States Code, shall apply with respect to*
 24 *training provided by the National Veterans’ Employment*

1 *and Training Services Institute that begins on or after the*
 2 *date of the enactment of this Act.*

3 **SEC. 305. REQUIREMENTS FOR FULL-TIME DISABLED VET-**
 4 **ERANS' OUTREACH PROGRAM SPECIALISTS**
 5 **AND LOCAL VETERANS' EMPLOYMENT REP-**
 6 **RESENTATIVES.**

7 *(a) DISABLED VETERANS' OUTREACH PROGRAM SPE-*
 8 *CIALISTS.—Section 4103A of title 38, United States Code,*
 9 *is amended by adding at the end the following new sub-*
 10 *section:*

11 *“(d) ADDITIONAL REQUIREMENT FOR FULL-TIME EM-*
 12 *PLOYEES.—(1) A full-time disabled veterans' outreach pro-*
 13 *gram specialist shall perform only duties related to meeting*
 14 *the employment needs of eligible veterans, as described in*
 15 *subsection (a), and shall not perform other non-veteran-re-*
 16 *lated duties.*

17 *“(2) The Secretary shall conduct regular audits to en-*
 18 *sure compliance with paragraph (1). If, on the basis of such*
 19 *an audit, the Secretary determines that a State is not in*
 20 *compliance with paragraph (1), the Secretary may reduce*
 21 *the amount of a grant made to the State under section*
 22 *4102A(b)(5) of this title.”.*

23 *(b) LOCAL VETERANS' EMPLOYMENT REPRESENTA-*
 24 *TIVES.—Section 4104 of such title is amended—*

1 (1) by redesignating subsection (e) as subsection
2 (f); and

3 (2) by inserting after subsection (d) the following
4 new subsection (e):

5 “(e) *ADDITIONAL REQUIREMENTS FOR FULL-TIME*
6 *EMPLOYEES.—(1) A full-time local veterans’ employment*
7 *representative shall perform only duties related to the em-*
8 *ployment, training, and placement services under this*
9 *chapter, and shall not perform other non-veteran-related*
10 *duties.*

11 “(2) *The Secretary shall conduct regular audits to en-*
12 *sure compliance with paragraph (1). If, on the basis of such*
13 *an audit, the Secretary determines that a State is not in*
14 *compliance with paragraph (1), the Secretary may reduce*
15 *the amount of a grant made to the State under section*
16 *4102A(b)(5) of this title.”.*

17 **SEC. 306. REPORT ON FINDINGS OF THE DEPARTMENT OF**
18 **DEFENSE AND DEPARTMENT OF LABOR**
19 **CREDENTIALING WORK GROUP.**

20 (a) *IN GENERAL.—The Secretary of Defense and the*
21 *Secretary of Labor shall jointly enter into a contract with*
22 *a qualified organization or entity jointly selected by the*
23 *Secretaries to complete the study of 10 military occupa-*
24 *tional specialties already begun by the joint Department*
25 *of Defense and Department of Labor Credentialing Work*

1 *Group to reduce barriers to certification and licensure for*
2 *transitioning members of the Armed Forces and veterans.*
3 *This study shall also include an examination of current ini-*
4 *tiatives, programs, and authority already established with-*
5 *in the Department of Defense and the military services to*
6 *promote credentialing of members of the Armed Forces and*
7 *identify best practices that can be leveraged by all services*
8 *to increase the transferability of military education, train-*
9 *ing, experience, and skills.*

10 *(b) REPORT.—The contract described in subsection (a)*
11 *shall provide that upon completion of the study described*
12 *in such subsection, the organization or entity with which*
13 *the Secretary of Defense and the Secretary of Labor entered*
14 *into the contract shall submit to the Secretary of Defense*
15 *and the Secretary of Labor a report setting forth the results*
16 *of the study. The report shall include—*

17 *(1) a plan for leveraging existing successful ini-*
18 *tiatives, programs, and authority to promote the*
19 *credentialing of all members of the Armed Forces; and*

20 *(2) such information as the Secretaries shall*
21 *specify in the contract.*

22 *(c) SUBMITTAL TO CONGRESS.—Not later than March*
23 *31, 2012, the Secretary of Defense and the Secretary of*
24 *Labor shall jointly submit to Congress a report on the re-*
25 *sults of the study described in subsection (a), together with*

1 *such comments on the report as the Secretaries jointly con-*
 2 *sider appropriate.*

3 **TITLE IV—IMPROVEMENTS TO**
 4 **UNIFORMED SERVICES EM-**
 5 **PLOYMENT AND REEMPLOY-**
 6 **MENT RIGHTS**

7 **SEC. 401. CLARIFICATION OF BENEFITS OF EMPLOYMENT**
 8 **COVERED UNDER USERRA.**

9 *Section 4303(2) of title 38, United States Code, is*
 10 *amended by inserting “the terms, conditions, or privileges*
 11 *of employment, including” after “means”.*

12 **TITLE V—OTHER MATTERS**

13 **SEC. 501. EXTENSION OF CERTAIN EXPIRING PROVISIONS**
 14 **OF LAW.**

15 (a) *ADJUSTABLE RATE MORTGAGES.—Section*
 16 *3707(a) of such title is amended by striking “2012” and*
 17 *inserting “2014”.*

18 (b) *HYBRID ADJUSTABLE RATE MORTGAGES.—Sec-*
 19 *tion 3707A(a) of such title is amended by striking “2012”*
 20 *and inserting “2014”.*

21 (c) *POOL OF MORTGAGE LOANS.—Section 3720(h)(2)*
 22 *of title 38, United States Code, is amended by striking “De-*
 23 *cember 31, 2011” and inserting “December 31, 2016”.*

24 (d) *LOAN FEES.—*

1 (1) *EXTENSION OF FEES.*—Section 3729(b)(2) of
2 *such title is amended—*

3 (A) *in subparagraph (A)—*

4 (i) *in clause (iii), by striking “October*
5 *1, 2011” and inserting “October 1, 2017”;*
6 *and*

7 (ii) *in clause (iv), by striking “October*
8 *1, 2011” and inserting “October 1, 2017”;*

9 (B) *in subparagraph (B)—*

10 (i) *in clause (i), by striking “October*
11 *1, 2011” and inserting “October 1, 2017”;*

12 (ii) *by striking clauses (ii) and (iii)*
13 *and redesignating clause (iv) as clause (ii);*
14 *and*

15 (iii) *in clause (ii), as so redesignated,*
16 *by striking “October 1, 2013” and inserting*
17 *“October 1, 2017”;*

18 (C) *in subparagraph (C)—*

19 (i) *in clause (i), by striking “October*
20 *1, 2011” and inserting “October 1, 2017”;*
21 *and*

22 (ii) *in clause (ii), by striking “October*
23 *1, 2011” and inserting “October 1, 2017”;*
24 *and*

25 (D) *in subparagraph (D)—*

1 (i) in clause (i), by striking “October
2 1, 2011” and inserting “October 1, 2017”;
3 and

4 (ii) in clause (ii), by striking “October
5 1, 2011” and inserting “October 1, 2017”.

6 (2) *EFFECTIVE DATE.*—The amendments made
7 by paragraph (1) shall take effect on the later of—

8 (A) October 1, 2011; or

9 (B) the date of the enactment of this Act.

10 (e) *TEMPORARY ADJUSTMENT OF MAXIMUM HOME*
11 *LOAN GUARANTY AMOUNT.*—Section 501 of the Veterans
12 *Benefits Improvement Act of 2008 (Public Law 110–389;*
13 *122 Stat. 4175; 38 U.S.C. 3703 note) is amended by strik-*
14 *ing “December 31, 2011” and inserting “December 31,*
15 *2014”.*

16 **SEC. 502. DEPARTMENT OF VETERANS AFFAIRS HOUSING**
17 **LOAN GUARANTEES FOR SURVIVING SPOUSES**
18 **OF CERTAIN TOTALLY DISABLED VETERANS.**

19 (a) *IN GENERAL.*—Section 3701(b) of title 38, United
20 *States Code, is amended by adding at the end the following*
21 *new paragraph:*

22 “(6) The term ‘veteran’ also includes, for pur-
23 poses of home loans, the surviving spouse of a de-
24 ceased veteran who dies and who was in receipt of or
25 entitled to receive (or but for the receipt of retired or

1 *retirement pay was entitled to receive) compensation*
2 *at the time of death for a service-connected disability*
3 *rated totally disabling if—*

4 “(A) *the disability was continuously rated*
5 *totally disabling for a period of 10 or more years*
6 *immediately preceding death;*

7 “(B) *the disability was continuously rated*
8 *totally disabling for a period of not less than five*
9 *years from the date of such veteran’s discharge or*
10 *other release from active duty; or*

11 “(C) *the veteran was a former prisoner of*
12 *war who died after September 30, 1999, and the*
13 *disability was continuously rated totally dis-*
14 *abling for a period of not less than one year im-*
15 *mediately preceding death.”.*

16 (b) *EFFECTIVE DATE.—The amendment made by sub-*
17 *section (a) shall apply with respect to a loan guaranteed*
18 *after the date of the enactment of this Act.*

19 (c) *CLARIFICATION WITH RESPECT TO CERTAIN*
20 *FEES.—Fees shall be collected under section 3729 of title*
21 *38, United States Code, from a person described in para-*
22 *graph (6) of subsection (b) of section 3701 of such title, as*
23 *added by subsection (a), in the same manner as such fees*
24 *are collected from a person described in paragraph (2) of*
25 *such subsection.*

1 **SEC. 503. EXTENSION OF HOMELESS VETERANS RE-**
2 **INTEGRATION PROGRAMS.**

3 (a) *EXTENSION.*—Section 2021(e)(1)(F) of title 38,
4 *United States Code*, is amended by striking “2011” and in-
5 serting “2012”.

6 (b) *REPORT.*—Not later than one year after the date
7 of the enactment of this Act, the Comptroller General of the
8 *United States* shall submit to Congress a report on the oper-
9 ation and results of the homeless veterans reintegration pro-
10 grams under section 2021 of title 38, *United States Code*.

11 **SEC. 504. REIMBURSEMENT RATE FOR AMBULANCE SERV-**
12 **ICES.**

13 Section 111(b)(3) of title 38, *United States Code*, is
14 amended by adding at the end the following new subpara-
15 graph:

16 “(C) In the case of transportation of a person under
17 subparagraph (B) by ambulance, the Secretary may pay
18 the provider of the transportation the lesser of the actual
19 charge for the transportation or the amount determined by
20 the fee schedule established under section 1834(l) of the So-
21 cial Security Act (42 U.S.C. 1395(l)) unless the Secretary
22 has entered into a contract for that transportation with the
23 provider.”.

1 **SEC. 505. ANNUAL REPORTS ON POST-9/11 EDUCATIONAL**
 2 **ASSISTANCE PROGRAM AND SURVIVORS' AND**
 3 **DEPENDENTS' EDUCATIONAL ASSISTANCE**
 4 **PROGRAM.**

5 *(a) REPORTS REQUIRED.—*

6 *(1) IN GENERAL.—Subchapter III of chapter 33*
 7 *of title 38, United States Code, is amended by adding*
 8 *at the end the following new section:*

9 **“§ 3325. Reporting requirement**

10 *“(a) IN GENERAL.—For each academic year—*

11 *“(1) the Secretary of Defense shall submit to*
 12 *Congress a report on the operation of the program*
 13 *provided for in this chapter; and*

14 *“(2) the Secretary shall submit to Congress a re-*
 15 *port on the operation of the program provided for in*
 16 *this chapter and the program provided for under*
 17 *chapter 35 of this title.*

18 *“(b) CONTENTS OF SECRETARY OF DEFENSE RE-*
 19 *PORTS.—The Secretary of Defense shall include in each re-*
 20 *port submitted under this section—*

21 *“(1) information indicating—*

22 *“(A) the extent to which the benefit levels*
 23 *provided under this chapter are adequate to*
 24 *achieve the purposes of inducing individuals to*
 25 *enter and remain in the Armed Forces and of*
 26 *providing an adequate level of financial assist-*

1 *ance to help meet the cost of pursuing a program*
2 *of education;*

3 “(B) *whether it is necessary for the pur-*
4 *poses of maintaining adequate levels of well-*
5 *qualified active-duty personnel in the Armed*
6 *Forces to continue to offer the opportunity for*
7 *educational assistance under this chapter to in-*
8 *dividuals who have not yet entered active-duty*
9 *service; and*

10 “(C) *describing the efforts under section*
11 *3323(b) of this title to inform members of the*
12 *Armed Forces of the active duty service require-*
13 *ments for entitlement to educational assistance*
14 *benefits under this chapter and the results from*
15 *such efforts; and*

16 “(2) *such recommendations for administrative*
17 *and legislative changes regarding the provision of*
18 *educational assistance to members of the Armed*
19 *Forces and veterans, and their dependents, as the Sec-*
20 *retary of Defense considers appropriate.*

21 “(c) *CONTENTS OF SECRETARY OF VETERANS AFFAIRS*
22 *REPORTS.—The Secretary shall include in each report sub-*
23 *mitted under this section—*

1 “(1) information concerning the level of utiliza-
 2 tion of educational assistance and of expenditures
 3 under this chapter and under chapter 35 of this title;

4 “(2) the number of credit hours, certificates, de-
 5 grees, and other qualifications earned by beneficiaries
 6 under this chapter and under chapter 35 of this title
 7 during the academic year covered by the report; and

8 “(3) such recommendations for administrative
 9 and legislative changes regarding the provision of
 10 educational assistance to members of the Armed
 11 Forces and veterans, and their dependents, as the Sec-
 12 retary considers appropriate.

13 “(d) *TERMINATION*.—No report shall be required under
 14 this section after January 1, 2021.”.

15 (2) *CLERICAL AMENDMENT*.—The table of sec-
 16 tions at the beginning of such chapter is amended by
 17 inserting after the item relating to section 3324 the
 18 following new item:

“3325. Reporting requirement.”.

19 (3) *DEADLINE FOR SUBMITTAL OF FIRST RE-*
 20 *PORT*.—The first reports required under section 3325
 21 of title 38, United States Code, as added by para-
 22 graph (1), shall be submitted by not later than No-
 23 vember 1, 2012, and shall cover the 2011-2012 aca-
 24 demic year.

1 (b) *REPEAL OF REPORT ON ALL VOLUNTEER-FORCE*
 2 *EDUCATIONAL ASSISTANCE PROGRAM.*—

3 (1) *IN GENERAL.*—Chapter 30 of such title is
 4 amended by striking section 3036.

5 (2) *CLERICAL AMENDMENT.*—The table of sec-
 6 tions at the beginning of such chapter is amended by
 7 striking the item relating to section 3036.

8 **SEC. 506. LIMITATION ON AMOUNT AUTHORIZED TO BE AP-**
 9 **PROPRIATED FOR EMPLOYEE TRAVEL, PRINT-**
 10 **ING, AND FLEET VEHICLES.**

11 *The amount authorized to be appropriated for the De-*
 12 *partment of Veterans Affairs for employee travel, printing,*
 13 *and fleet vehicles for fiscal year 2012 shall not exceed*
 14 *\$385,000,000.*

15 **SEC. 507. EXTENSION OF REDUCED PENSION FOR CERTAIN**
 16 **VETERANS COVERED BY MEDICAID PLANS**
 17 **FOR SERVICES FURNISHED BY NURSING FA-**
 18 **CILITIES.**

19 *Section 5503(d)(7) of title 38, United States Code, is*
 20 *amended by striking “May 31, 2015” and inserting “May*
 21 *31, 2016”.*

22 **SEC. 508. STATUTORY PAY-AS-YOU-GO-ACT OF 2010.**

23 *The budgetary effects of this Act, for the purpose of*
 24 *complying with the Statutory Pay-As-You-Go-Act of 2010,*
 25 *shall be determined by reference to the latest statement titled*

1 *“Budgetary Effects of PAYGO Legislation” for this Act,*
2 *submitted for printing in the Congressional Record by the*
3 *Chairman of the House Budget Committee, provided that*
4 *such statement has been submitted prior to the vote on pas-*
5 *sage*

Union Calendar No. 160

112TH CONGRESS
1ST Session

H. R. 2433

[Report No. 112-242, Part I]

A BILL

To amend title 38, United States Code, to make certain improvements in the laws relating to the employment and training of veterans, and for other purposes.

OCTOBER 11, 2011

Reported from the Committee on Veterans' Affairs with
an amendment

OCTOBER 11, 2011

The Committee on Armed Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed